

STATE OF WASHINGTON
BEFORE THE MARINE EMPLOYEES' COMMISSION

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| INLANDBOATMEN'S UNION |) | MEC Case No. 16-98 |
| OF THE PACIFIC, |) | |
| |) | |
| Complainant, |) | DECISION NO. 225 - MEC |
| |) | |
| v. |) | DECISION AND ORDER |
| |) | AFFIRMING DECISION |
| WASHINGTON STATE FERRIES, |) | NO. 218-MEC |
| |) | |
| Respondent. |) | |
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Schwerin, Campbell and Barnard, attorneys, by Dmitri Iglitzin, Elizabeth Ford and Robert Lavitt, appearing for and on behalf of the Inlandboatmen's Union of the Pacific.

Christine Gregoire, Attorney General, by David Slown, Assistant Attorney General, appearing for and on behalf of the Washington State Ferries.

This matter came on regularly before the Marine Employees' Commission on December 8, 1999 when the Inlandboatmen's Union of the Pacific (IBU) filed a Petition for Review of Decision No. 218-MEC, entered on November 18, 1999. MEC's Decision No. 218 dismissed IBU's charge of unfair labor practice against Washington State Ferries (WSF), docketed as MEC Case No. 16-98. The IBU sought review of the Chairman's denial of interest from the point of the interest arbitration award.

Having considered the Petition for Review filed by IBU in this matter and the response brief filed by WSF, we have determined:

1. All parties agree that RCW 47.64.120 does not apply in this matter.
2. The Arbitrator did not award interest as a part of the Terminal Agent Arbitration Award.

3. WSF sought supplemental funding from the Legislature in order to pay the award. When funding was awarded, the wage increase was paid.
4. WSF did not have the back pay in an account collecting interest. There was no interest accrued and therefore none to pay.
5. IBU did not submit any evidence that it had requested interest on the Arbitration Award from WSF, and that WSF had denied the request.

ORDER

1. Having considered and reviewed the material files and record before the Commission in this matter, we have determined that MEC Chairman's Order of Dismissal (Decision No. 218-MEC), entered by Chairman Henry L. Chiles, Jr., for which review has been sought by IBU, should be and hereby is affirmed.
2. Charges filed against WSF in MEC Case No. 16-98 are dismissed.

DATED this ____ day of January 2000.

MARINE EMPLOYEES' COMMISSION

JOHN P. SULLIVAN, Commissioner

DAVID E. WILLIAMS, Commissioner